

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
2 Recommendation (Doc #167) entered on February 15, 2008, is adopted and accepted without
3 modification. Thus, in accordance with the Report and Recommendation,

4 IT IS HEREBY ORDERED the Clerk of the Court shall enter a default in favor of Plaintiff
5 and against Defendants. Fed. R. Civ. P. 55(b)(2) requires the party entitled to default
6 judgment to apply to the court for the same, and authorizes the court "to determine the amount
7 of damages," where necessary, "to enable the court to enter judgment or to carry it into effect."
8 Accordingly, before this Court can enter a default judgment against Defendants, the Court
9 must ascertain the proper amount of damages to which Plaintiffs are entitled. To establish the
10 amount due and owing upon default judgment, Plaintiffs shall file an affidavit showing the
11 amount due and costs against Defendants pursuant to Fed. R. Civ. P. 55(b)(2).

12 IT IS SO ORDERED.

13 DATED: This 6th day of March, 2008.

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18 UNITED STATES DISTRICT JUDGE
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